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W.P.No.30404 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

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1. G.Chandren
2. M.Subbarayan
3. M.Murugesan
4. D.Govindan
5. M.Mani
6. K.Sampath
7. A.Mani
8. K.Ramamoorthy
9. A.Devaraj

... Petitioners

Vs.

1. The Government of Tamil Nadu,
Rep. by its Secretary,
Environment and Forest Department,
Fort St.George, Chennai-600 009.
2. The Principal Chief Conservator of Forest,
Environment and Forest Department,
Office at Panagal Maligai,
Saidapet, Chennai-600 015.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus to direct the respondents to regularise the petitioners' service in the cadre of Forest Watcher for the purpose of getting minimum pension/Family Pension by giving relaxation in respect of height on par with juniors, namely P.Karupiah S.No.4608 with effect from 24.01.1995 in the



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light of the order passed by this Court in W.P.No.23647 of 2013, dated 12.09.2014, same was affirmed by Division Bench in W.A.No.2072 of 2018, dated 11.08.2021 and implementation order passed by the first respondent in G.O.(2D).No.09, Environment, Climate Change and Forest (FR.2(II)) Department, dated 08.02.2022, on the basis of their representation dated 18.03.2022 within a time limit.

For petitioner : Mr.S.Mani

For respondents: Mr.K.H.Ravikumar, Govt. Advocate

ORDER

This writ petition has been filed for a Mandamus to direct the respondents to regularise the petitioners' services in the cadre of Forest Watchers for the purpose of getting minimum pension/family pension by relaxing in respect of height on par with their junior namely P.Karuppan, Serial No.4608 with effect from 24.01.1995, in the light of the order passed by this Court in W.P.No.23647 of 2013, dated 12.09.2014, which has been affirmed by the Division Bench in W.A.No.2072 of 2018 dated 11.08.2021 and by implementation of G.O.(2D).No.09, Environment, Climate Change and Forest (FR.2(II)) Department, dated 08.02.2022, on the basis of their representation, dated 18.03.2022 within a time limit.

2. The petitioners claim that they have to be regularised in service as Forest Watchers along with their juniors as per the aforementioned orders

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passed by this Court as well as the aforementioned Government Order.

According to the petitioners, despite several representations, they have not been regularised as per the aforementioned orders passed by this Court. In the said circumstances, they have filed this writ petition.

3. Heard both sides and perused the materials available on record.

4. At the outset, the learned Government Advocate appearing for the respondents submitted that the petitioners will have to give a fresh representation and once such a representation is given, the respondents shall consider the same on merits and in accordance with law, in the light of the aforementioned orders passed by this Court and the aforementioned G.O.

5. No prejudice would be caused to the respondents, if the petitioners are allowed to give a fresh representation and a direction is issued to the respondents to consider the same on merits and in accordance with law, in the light of the aforementioned orders passed by this Court and in the light of the aforementioned G.O.

6. For the foregoing reasons, this Court directs the petitioners to submit a fresh representation to the first respondent seeking regularisation of their service as Forest Watchers, by giving relaxation in respect of the height on par with their junior P.Karupiah, Serial No.4608 with effect from 24.01.1995, in the light of the order passed by this Court in W.P.No.23647 of 2013, dated 12.09.2014,



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which was affirmed by the Division Bench of this Court in W.A.No.2072 of 2018, dated 11.08.2021 and to implement the order passed by the 1st respondent in G.O.(2D).No.09 Environment, Climate Change and Forest (FR.2(II)) Department, dated 08.02.2022 within a period of one week from the date of receipt of a copy of this order and on receipt of such representation, the first respondent shall pass final orders on merits and in accordance with law, in the light of the aforementioned orders passed by this Court as well as the aforementioned G.O. within a period of twelve weeks thereafter.

7. With the aforesaid direction, the Writ Petition is disposed of. No costs.

16.11.2022

Speaking Order: Yes/no
CS

To

1. The Government of Tamil Nadu,
Rep. by its Secretary,
Environment and Forest Department,
Fort St.George, Chennai-600 009.
2. The Principal Chief Conservator of Forest,
Environment and Forest Department,
Office at Panagal Maligai,
Saidapet, Chennai-600 015.

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